

No. 11(112)-80-3Lab/7440.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workman and the management of Sub-Divisional Officer, Planning, Investigation Public Health Sub-Division, Karnal.

BEFORE SHRI BANWARI LAL DALAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK

Reference No. 282 of 1978

SHRI VIJAY PAUL TYAGI WORKMAN AND THE MANAGEMENT OF SUB-DIVISIONAL ENGINEER, PLANNING, INVESTIGATION PUBLIC HEALTH SUB-DIVISION, KARNAL

Present :

No one for the workman.

Shri N. D. Sharma, L.O. for the respondent.

AWARD

This reference has been made over to this Court by the Hon'ble Governor of Haryana,—*vide* his order No. ID/KNL/52-78/44407, dated 9th October, 1978 under section 10(i)(c) of the Industrial Disputes Act for adjudication of the dispute existing between the workman Shri Vijay Paul Tyagi and the management of Sub-Divisional Engineer, Planning, Investigation Public Health Sub-Division, Karnal. The terms of the reference was whether the termination of the services of Shri Vijay Paul Tyagi was justified and in order ? If not, to what relief he is entitled ?

On receipt of the order of reference notices were sent as usual to the parties in response to which the parties put in their appearance. The parties filed their respective pleadings on the basis of which the following issues were framed:—

1. Whether the reference is bad for non-joinder of necessary parties ? (OPM)
2. Whether the organisation is an Industry (OPM).
3. Whether Shri Vijay Pal Tyagi was a workman ? (OPM)
4. Whether the dispute is not an Industrial Dispute ?
5. Whether the workman has a cause of action ?
6. Whether the termination of Shri Vijay Pal Tyagi was justified and in order ? If not, to what relief is he entitled ?

The workman was asked to lead his evidence on 2nd April, 1979. The workman representative wanted time to implead the Engineer-in-Chief of P.W.D. (Pb. Health) Chandigarh as the necessary party in this reference. My learned predecessor allowed the adjournment to enable the workman to add the necessary party. The workman sought adjournment for this purpose from 2nd April, 1979 to 6th March, 1980. On that date of hearing the authorised representative sent a written request for grant of adjournment on the same old ground that the workman has prayed to the Government for amendment of the reference with regard to the addition of Chief Engineer as a party through the reference. In my opinion the workman was allowed ample time for getting the necessary amendment made by the Government on his failure it can well be inferred that the workman is not interested in getting the amendment made and neither the workman nor his authorised representative appeared on this date of hearing. The workman was proceeded against *ex parte*. Arguments are heard on issue No. 1 which go to the very routes of the reference which is given as under :—

“Whether the reference is bad for non-joinder of the parties?”

The term employer has been defined under section 2(g) of the Industrial Disputes Act as under :—

“Section 2(g) (i) in relation to industry carried on by or under the authority of any department of the Central Government or a State Government, the authority prescribed in this behalf or where no authority is prescribed, the head of the department.”

It would appear from the definition of the term employer as stated above that the head of the department can only be impleaded as a party in the reference in case the industry is being carried on by a State Government. The Chief Engineer (Pb. Health) was the head of the department and not be Sub-Divisional Engineer

Planning Investigation Public Health Sub-Division, Karnal who has been wrongly impleaded. This reference impleading as a party the Sub-Divisional Engineer, Karnal is therefore bad in law. As a result of this the workman is not entitled to any relief in this reference. He may however get a fresh reference made against the proper authority if he so desired. I hold accordingly and answer the reference while returning the award in terms of my findings made above.

Dated the 20th May, 1980.

BANWARI LAL DALAL,

Presiding Officer,
Labour Court, Rohtak.

Endorsement No. 1405, dated th: 25th May, 1980

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

BANWARI LAL DALAL,

Presiding Officer,
Labour Court, Rohtak.

No. 11(112)-80-3Lab/7450.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/ The Milton Cycle Industries, Ltd. Sonepat.

BEFORE SHRI M. C. BHARDWAJ, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA
FARIDABAD
Reference No. 1 of 1979

between

THE WORKMEN AND THE MANAGEMENT OF M/S THE MILTON CYCLE INDUSTRIES, LTD.,
SONEPAT.

Present : Shri S. N. Vats for the workmen.

Shri V. K. Deewan for the management.

AWARD

1. By order No. SPT/112-78/89, dated 1st January, 1979, the Governor of Haryana referred the following disputes between the management of M/s The Milton Cycle Industries Ltd., Sonepat and its workmen, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

1. Whether the workmen should be supplied the identity cards ? If so, with what details ?
2. Whether the Machine Operators are entitled to any compensation for loss of one hour work on 23rd September, 1979 ? If so, with what details ?
3. Whether log books should be prepared on the machines ? If so, with what details ?

2. On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, following issues were framed on 10th July, 1979:—

1. Whether the reference is hit by a settlement dated 30th December, 1977 ?
2. Whether the demands are espoused by a substantial number of workmen ?
3. Whether the workmen should be supplied the identity cards ? If so, with what details ?
4. Whether the Machine Operators are entitled to any compensation for loss of one hour work on 23rd September, 1978 ? If so, with what details ?
5. Whether log books should be prepared on the machines ? If so, with what details ?

And the case was fixed for the evidence of the parties. The parties prayed for adjournments for one or the other reasons. Adjournments were granted. But on the last date of hearing Shri H. K. Relhan, Factory Manager of the management stated that Identity Cards have already been issued to the workmen and production and breakdown of machines records are being maintained by the management and stated that there is no necessity of maintaining of log books and prayed that award be given accordingly. The representative for the workmen Shri S. N. Vats agreed to the statement of the Factory Manager Shri H. K. Relhan and stated that he withdraw the

reference. In view of the statements of the parties, I give my award that there is no dispute between the parties as having been withdrawn.

Dated 22nd May, 1980

M. C. BHARDWAJ,
Presiding Officer,
Industrial Tribunal,
Haryana, Faridabad.

No. 450, dated 23rd May, 1980

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

M. C. BHARDWAJ,
Presiding Officer,
Industrial Tribunal,
Haryana, Faridabad.

No. 11(112)-80-3Lab/7468.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workmen and the management of M/s Printers House Pvt. Ltd., Ballabgarh :—

BEFORE SHRI I. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT, HARYANA, FARIDABAD

Reference No. 36 of 1980

between

SHRI MURLI DHAR WORKMAN AND THE MANAGEMENT OF M/s. PRINTERS HOUSE,
PRIVATE LTD. BALLABGARH.

Present:—Shri Murli Dhar, workman in person.

Shri K. L. Chomal, Factory Manager with Sh. R. C. Sharma, for the management.

AWARD

This reference No. 36 of 1980 has been referred to this Court by the Hon'ble Governor of Haryana,—
vide his order No. ID/FD/4102, dated 24th January, 1980, under section 10(i)(c) of the Industrial Disputes Act, 1947, for adjudication of the dispute existing between Shri Murli Dhar, workman and the management of M/s Printers House Private Limited, Ballabgarh. The term of the reference was :—

“Whether the termination of services of Shri Murli Dhar was justified and in order ? If not, to what relief is he entitled ?” .

After receiving this reference notices were issued to both the parties and both the parties appeared before this court through their authorised representatives and filed their pleadings. On the pleadings of the parties, the following issues were framed on 27th March, 1980:—

- (1) Whether the workman was sick from 22nd October, 1979, to 4th November, 1979 ? If so, to what effect ? OPW
- (2) Whether the workman was on duty on 7th November, 1979, and he was turned out of the factory ? If so, to what effect ? OPW
- (3) Whether the striking off the name of the workman from the rolls of the factory was justified ? If so, to what effect ? OPM
- (4) Whether the termination of the services of the workman is justified and in order ? If not, to what relief is he entitled ?
- (5) Relief.

No other issues pressed by the parties and the case was fixed for the evidence of the parties for 15th April 1980. The workman Shri Murli Dhar on 15th May, 1980, made a statement in this Court that the management has agreed to pay a sum of Rs 2,000 (Rs two thousand only) which includes the payment in lieu of wages, Bonus up-to-date, Earned Leave Compensation and all types of claims. He also gave up his claim of reinstatement or re-employment with the respondent management. He has also stated that now there is no dispute left with the management. This statement was duly agreed to by the representative of the management.

and the case was fixed for the payment of money to the workman for 16th May, 1980. On 16th May, 1980, the representative of the management paid a sum of Rs 2,000 (Rs Two thousand only) to the workman before me.

In these circumstances, there is now no dispute remains to be adjudicated between the parties. Therefore, I give my award accordingly. No order as to costs.

Dated 20th May, 1980

I. P. CHAUDHARY,

Presiding Officer,
Labour Court, Haryana
Faridabad.

Endst. No. 830, dated 22nd May, 1980

Forwarded (four copies) to the Secretary to Government of Haryana, Labour & Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated 20th May, 1980

I. P. CHAUDHARY,

Presiding Officer,
Labour Court, Haryana,
Faridabad.

The 5th June, 1980

No. 11(112)-80-3 Lab/7701.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Remington Rand of India Limited, Sector 6, Mathura Road, Faridabad.

BEFORE SHRI I. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT, HARYANA,
FARIDABAD

Reference No. 3 of 1979

between

SHRI M.A. KHAN, WORKMAN AND THE MANAGEMENT OF M/S REMINGTON
RAND OF INDIA LIMITED, SECTOR 6, MATHURA ROAD, FARIDABAD.

Present:—

None for the workman.

Shri K. P. Aggarwal for the management.

AWARD

This reference No. 3 of 1979 has been referred to this Court by the Hon'ble Governor of Haryana,—*vide* his order No. FD/93-79/48742, dated 19th November, 1979, under section 10(1)(c) of the Industrial Disputes Act, 1947, for adjudication of the dispute existing between Shri M. A. Khan, workman and the management of M/s Remington Rand of India Limited, Sector 6, Mathura Road, Faridabad. The term of the reference was:—

“Whether the termination of services of Shri M. A. Khan was justified and in order? If not, to what relief is he entitled?”

After receiving this reference notices were issued to both the parties and both the parties appeared before this court through their authorised representatives. After my joining, the case first time came before me on 26th March, 1980, when neither the applicant nor his authorised representative appeared in this Court. I fixed the case for 4th April, 1980, and sent notice for this date for the presence of the workman as well as his authorised representative. On 4th April, 1980, the Court closed due to holiday being Good Friday, therefore, the case was again fixed for 25th April, 1980, when the representative of the workman appeared and on that date the parties were directed to come up on 6th May, 1980, for filing of rejoinder and framing of issues. On 6th May, 1980, the case was called at 11.30 a.m. but none was present on behalf of the workman and kept waiting for some time for the presence of the workman. Now the case was called again at 2.35 p.m., by this time also none appeared for the workman. I had to proceed *ex parte* against the workman and the case was fixed for the *ex parte* evidence of the management for 14th May, 1980.

On 14th May, 1980, the *ex parte* evidence of the management was recorded. The management produced Shri K. P. Aggarwal, its authorised representative its sole witness. He stated on oath that the workman had proceeded on leave from 7th January, 1979, to 20th January, 1979. His application is M-1 and M-2. M-3 is the telegram which was sent by the workman to the management about the illness of his mother. The witness further stated that after 20th January, 1979, this workman never resumed duty. Ex. M-4 is the photo copy of medical certificate sent by the workman to the management which was rejected by the management. Information about the rejection of his leave was sent to the workman by the management through a telegram, the photo copy of which is Ex. M-5. Through a registered letter Ex. M-6, the management asked for the reason for his absence from the workman. We reply of the letter is Ex. M-7. The management again wrote to the workman through M-9, M-10 and M-11 about his absence, to the workman and Ex. M-12 is an other letter from the Plant Manager to the workman but the workman never resumed duty.

A domestic enquiry was held by the management from 2nd June, 1979 to 13th June, 1979. The report of enquiry is Ex. M-13. According to Ex. M-13 the workman was found guilty and through M-14 which is letter to the workman from the management he was intimated about his removal from the services of the respondent management. The copy of the standing order is Ex. M-15. The original of all these exhibits were seen by me and returned after comparison of the same. The witness also stated that this workman has been habitually absenting from the factory in the past also, and that was also the reason he was dismissed from the services of the respondent company.

In view of the unrebutted *ex parte* evidence produced by the management, I am left with no choice except to believe the version of the management. Over and above this my finding gets support from the absenting of the workman in the proceedings in this court of this reference. I feel that the termination of the services of the workman by the management is quite legal, proper and justified. I thus answer the reference while returning the award in these terms. No order as to costs.

Dated 24th May, 1980.

I. P. CHAUDHARY,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

Endst. No. 843, dated 29th May, 1980.

Forwarded (four copies) to the Secretary to Government Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

I. P. CHAUDHARY,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

No. 11(112)-80-3Lab/7702.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s A&J Main & Co., (Engineers) Private Limited, Sector 6, Faridabad.

BEFORE SHRI I. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT, HARYANA,
FARIDABAD

Reference No. 34 of 1980

b etween

SHRI CHHELA RAM, WORKMAN AND THE MANAGEMENT OF M/S A & J MAIN & CO.
(ENGINEERS) PRIVATE LIMITED, SECTOR 6, FARIDABAD

Present:—

None for the workman.
Shri R. S. Arora, for the management.

AWARD

This reference No. 34 of 1980 has been referred to this Court by the Hon'ble Governor of Haryana,—*vide* his order No. ID/FD/80/4090, dated 24th January, 1980, under section 10(1)(c) of the Industrial Disputes Act, 1947 for adjudication of the dispute existing between Shri Chhela Ram, workman and the management of M/s A & J Main & Co. (Engineers) Private Limited, Sector 6, Faridabad.

The term of the reference was:—

"Whether the termination of services of Shri Chhela Ram was justified and in order ? If not, to what relief is he entitled ?"

After receiving this reference notices were issued to both the parties and both the parties appeared before this court and filed their pleadings. On the pleadings of the parties, the following issues were framed on 19th February, 1980:—

1. Whether the workman was a temporary employee of the respondent Company ?
2. Whether the termination of the services of the workman is justified and in order ?
3. Relief.

The case was fixed for the evidence of the management for 9th April, 1980. On 9th April, 1980, the Presiding Officer was on tour and the case was fixed for 28th April, 1980. On this date neither the workman nor his authorised representative was present and it was ordered by me that *ex parte* proceedings be held against the workman and the case was fixed for the *ex parte* evidence of the management for 21st May, 1980.

On 21st May, 1980 the management examined Shri Ram Sarup Arora as MW 1. He stated in this court that the workman has duly received a sum of Rs. 513.75 Paise (Rs. Five hundred thirteen and Paise seventy-five only) in full and final settlement of his all dues including the right of re-instatement or re-employment. He executed the receipt to this effect which is Ex. M1.

In the above circumstances the unrebuted statement of the management is relied upon and it is held that the workman had already settled his dispute with the respondent company on 9th April, 1980. There is now no dispute remains to be adjudicated between the parties, therefore, I give my award accordingly. No order as to costs. So this award is in answer of this reference.

I. P. CHAUDHARY,

Presiding Officer,
Labour Court, Haryana, Faridabad.

Endorsement No. 842, dated the 29th May, 1980

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

I. P. CHAUDHARY,

Presiding Officer,
Labour Court, Haryana,
Faridabad.

Dated the 21st May, 1980.

No. 11(112)-80-3Lab/7703.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Anupma Rubber Private Limited, Mathura Road, Palwal.

BEFORE SHRI I. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT, HARYANA, FARIDABAD

Reference No. 32 of 1979

between

SHRI MAHABIR SINGH WORKMAN AND THE MANAGEMENT OF M/S ANUPMA RUBBER PRIVATE LIMITED, MATHURA ROAD, PALWAL

Present:—

Shri Bhim Singh Yadav for the workman.

None for the management.

AWARD

This reference No. 52 of 1979 has been referred to this Court by the Hon'ble Governor of Haryana,—*vide* his order No. FD/109-79/51728, dated 7th December, 1979 under section 10(i)(c) of the Industrial Disputes Act, 1947 for adjudication of the dispute existing between Shri Mahabir Singh workman and the management of M/s Anupma Rubber Private Limited, Mathura Road, Palwal. The terms of the reference was :—

“Whether the termination of services of Shri Mahabir Singh was justified and in order ? If not, to what relief is he entitled ?”

After receiving this reference notices were issued to both the parties and both the parties appeared before this Court. On 28th April, 1980, the authorised representative of the workman was present but neither the respondent nor his authorised representative was present. It was ordered by me that *ex parte* proceedings be held against the management and the case was fixed for the *ex parte* evidence of the workman for 21st May, 1980.

On 21st May, 1980, Shri Bhim Singh Yadav, authorised representative of the workman made a statement that the workman Shri Mahabir Singh had joined his duty with the respondent Company since about twenty days before 21st May, 1980. He further stated that he had no instructions from the workman concerned and he is no more interested in the dispute and does not want to pursue this reference.

I thus relying on the statement of Shri Bhim Singh Yadav, authorised representative of the workman hold that the demand raised by the workman against the management leading to this reference has duly been satisfied. There remains now no dispute to be adjudicated between the parties. I give my award accordingly. No order as to costs. So this award is in answer of this reference.

I. P. CHAUDHARY,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

Dated the 21st May, 1980.

Endorsement No. 841, dated the 29th May, 1980.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

I. P. CHAUDHARY,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

Dated the 21st May, 1980.

The 10th June, 1980

No. 11(112)-80-3Lab/7788.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workmen and the management of M/s NIT Needles, Plot No. 320, Sector-24, Faridabad.

BEFORE SHRI I. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT, HARYANA,
FARIDABAD

Reference No. 29 of 1980

between

SHRI PARMOD KUMAR WORKMAN AND THE MANAGEMENT OF M/S NIT NEEDLES,
PLOT NO. 320, SECTOR 24, FARIDABAD

Present.—

Shri Parmod Kumar workman in person along with Shri Bhim Singh Yadav.

Shri R. S. Arora for the management.

AWARD

This reference No. 29 of 1980 has been referred to this court by the Hon'ble Governor of Haryana,—*vide* his order No. ID/FD/89-79/2062, dated 15th January, 1980 under section 10(i) (c) of the Industrial Disputes Act, 1947 for adjudication of the dispute existing between Shri Parmod Kumar workman and the management of M/s NIT Needles, Plot No. 320, Sector 24, Faridabad. The term of the reference was :—

“Whether the termination of services of Shri Parmod Kumar was justified and in order ? If not, to what relief is he entitled ? ”

After receiving this reference notices were issued to both the parties and both the parties appeared before this court through their authorised representatives. On the pleadings of the parties, the following issues were framed on 19th March, 1980 :—

- (1) Whether the workman has abandoned his job of his own ? OPM
- (2) Whether the termination of the services of the workman is justified and in order ? OPM
- (3) Relief ?

The case was fixed for 9th April, 1980, for the evidence of the management. On 9th April, 1980, the Presiding Officer was on tour and the case was fixed for 28th April, 1980, for proper order and on this date the case was fixed again for the evidence of the management for 21st May, 1980. On 21st May, 1980, the case was fixed for 28th May, 1980, for settlement.

To-day the case was fixed for settlement and the workman Shri Parmod Kumar made a statement in this court that he has mutually settled his dispute with the respondent-management and has also received a sum of Rs. 450 (Rs. four hundred and fifty only) from the management. He further stated that according to this mutual settlement he has also foregone the right of re-instatement or re-employment with the respondent. He has also stated that now there is no dispute left with the management. The copy of the abovesaid settlement is Exhibit W-1.

In these circumstances, I thus relying on the statement of Shri Parmod Kumar, hold that the demand raised by the workman against the management, leading to this reference has been duly satisfied. There remains now no dispute to be adjudicated between the parties. No order as to costs. I thus answer the reference while returning the award in these terms.

I. P. CHAUDHARY.

Dated the 28th May, 1980

Presiding Officer,
Labour Court, Haryana, Faridabad

Endst. No. 849, dated 31st May, 1980.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

I. P. CHAUDHARY,

Presiding Officer,
Labour Court, Haryana, Faridabad.

No. 11(112)-80-3Lab/7789.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Trans Auto, DLF, Mathura Road, Faridabad :—

BEFORE SHRI I. P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT, HARYANA.
FARIDABAD

Reference No. 196 of 1980

between

SHRI ASHOK KUMAR, WORKMAN AND THE MANAGEMENT OF M/S TRANS AUTO,
DLF, MATHURA ROAD, FARIDABAD.

Present :—

Shri Ashok Kumar, workman in person, alongwith Shri Darshan Singh.

Shri J. L. Katyal, for the Management.

AWARD

This reference No. 196 of 1980 has been referred to this court by the Hon'ble Governor of Haryana,—*vide* his order No. ID/FD/46-80/14425, dated 20th March, 1980, under section 10(i)(c) of the Industrial Disputes Act, 1947, for the adjudication of the dispute existing between Shri Ashok Kumar, workman and the management of M/s Trans-Auto, DLF, Mathura Road, Faridabad. The term of the reference was :—

"Whether the termination of services of Shri Ashok Kumar was justified and in order ? If not, to what relief is he entitled ?"

After receiving this reference notices were issued to both the parties and both the parties appeared before this court through their authorised representatives. On 28th May, 1980, the workman Shri Ashok Kumar made a statement that he has been taken on duty with effect from 24th April, 1980, by the respondent Company. He further stated that he is also working with the respondent Company. He does not want to pursue this reference and now there is no dispute left with the management.

In these circumstances, I thus relying on the statement of Shri Ashok Kumar, workman, hold that the demand raised by the workman against the management leading to this reference has been duly satisfied, because the management has already taken back on duty of the workman. There is now no dispute remains to be adjudicated between the parties, therefore, I give my award accordingly. No order as to costs. So this award is in answer of this reference.

Dated the 28th May, 1980.

I. P. CHAUDHARY,
Presiding Officer,
Labour Court, Haryana, Faridabad.

Endst. 847, dated 31st May, 1980.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

I. P. CHAUDHARY,
Presiding Officer,
Labour Court, Haryana, Faridabad.

No. 11(112)-80-3Lab/7790.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workman and the management of M/s. Heera Light Lamp Industries, 18/3, Mathura Road, Faridabad :—

BEFORE SHRI I.P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT, HARYANA, FARIDABAD

Reference No. 197 of 1980

between

SHRI OM PARKASH, WORKMAN AND THE MANAGEMENT OF M/S. HEERA LIGHT LAMP INDUSTRIES, 18/3, MATHURA ROAD, FARIDABAD

Present.—

Shri Amar Singh, Sharma, for the workman.
Shri R.S. Arora, for the Management.

AWARD

This reference No. 197 of 1980 has been referred to this court by the Hon'ble Governor of Haryana, —*vide* his order No. ID/FD/45-80/14431, dated 20th March, 1980, under section 10(1)(c) of the Industrial Disputes Act, 1947, for the adjudication of the dispute existing between Shri Om Parkash, workman and the management of M/s. Heera Light Lamp Industries, 18/3, Mathura Road, Faridabad. The term of the reference was :—

“Whether the termination of services of Shri Om Parkash was justified and in order ? If not, to what relief is he entitled ?”

After receiving this reference notices were issued to both the parties. On 28th May, 1980, Shri Amar Singh Sharma, Union Office, opposite Government Girls Middle School No. I, N.I.T., Faridabad, whose address the workman had given on his demand notice appeared personally in this court and made a statement that the workman has given my address in his reference. The management filed a copy of settlement, dated 20th March, 1980, which is, Exhibit M-1. He has further stated that according to this settlement, the workman had received a sum of Rs. 125 (Rs. one hundred and twenty-five only) in full and final settlement of all his dues including his right of re-instatement or re-employment. This settlement was duly agreed to by the representative of the workman and there was no dispute left between the parties.

In view of the above statement of Shri Amar Singh Sharma, authorised representative of the workman, I give my award accordingly and hold that there is now no dispute remains to be adjudicated between the parties. No order as to costs. So this award is in answer of this reference.

Dated the 28th May, 1980

I. P. CHAUDHARY,
Presiding Officer,
Labour Court, Haryana,
Faridabad.

Endorsement No. 848, dated 31st May, 1980.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated 28th May, 1980

I. P. CHAUDHARY,
Presiding Officer,
Labour Court, Haryana, Faridabad.